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# **PRECONDITIONS FOR SUCCESSFUL CROSS-BORDER CO-OPERATION ON ENVIRONMENTAL ISSUES**

## **SUMMARY FINAL REPORT**

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## I. OBJECTIVES

The research aim was to identify the conditions for successful cross-border environmental policy. It examined co-operation across national borders that takes place at the local and regional levels. Two different (relatively recent) policy fields intersect at such places, at "Europe's seams": "environmental policy" and "cross-border co-operation". In both fields different political levels, from the local to the European, are involved. Consequently, cross border environmental policy is characterised by a high degree of complexity, that can make processes for problem-solving more difficult. Due to the lack of hierarchical control mechanisms, cross-border environmental policy is dependent on co-operative processes for problem solving and thus must be oriented to consensus.

The co-operation results are influenced by numerous different factors. In turn, these are influenced by the level of co-operation and the degree of effectiveness of the respective environmental policy measure. The research objective was to identify the basic factors of influence that have the greatest effect on the co-operation result. On the basis of such identification, concrete guidelines were formulated about how the different political levels can contribute to intensify cross-border environmental policy. In environmental policy as well as in cross-border co-operation, the increasing importance of the local and the European levels have recently led to new developments. Consequently, the emphasis in this research was placed on the European level, (particularly the European Commission), and on the regional (sub-national) level, while the level of central governments remains more in the background.

## II. METHODOLOGY

The research project has been carried out in four stages:

- development of the methodological framework;
- comparative analysis of cross-border environmental policy in a series of European border regions including two in-depth case studies;
- development of a model of influence of cross-border environmental policy;
- review process and elaboration of recommendations.

In the first stage different approaches of policy analysis and administration science have been used to construct an analysis framework, which is appropriate to deal with the complex subject of the research.

In the second (and by far the most important) project stage, a comparative examination of the cross-border environmental policy in various border regions of Europe has been carried out. The first objective of this stage was to provide a solid overview of this new type of political actions. This was achieved by a comparative international study, which described the environmental policy in the individual border regions and compared how individual environmental problems are treated. The empirical research covered the following European border regions:

1. Ireland/Northern Ireland (Republic of Ireland, GB)
2. Saar-Lor-Lux (Germany, Luxembourg, France, Belgium)
3. Euregio Meuse-Rhine (Belgium, Germany, Netherlands)
4. Communauté de Travail des Pyrénées - CTP (Spain, France, Andorra)
5. Euroregion Pyrénées (Spain, France)
6. Transmanche Euroregion (UK, France, Belgium)
7. EUREGIO (Germany, Netherlands)
8. Benelux Middengebied (Belgium, Holland)
9. Euregio Scheldemond (Netherlands, Belgium)
10. Extremadura/Alentejo (Spain, Portugal)
11. Cross-border Community of Aquitaine/Euskadi/Navarra (France, Spain)
12. Friuli-Venezia Giulia/Slovenia (Italy, Slovenia)
13. Comunidad de Trabajo Galicia-Norte de Portugal (Spain, Portugal)
14. PACTE (Belgium, France)
15. The Archipelago (Sweden, Finland [Åland])

The second objective of this stage was to obtain a more detailed empirical insight into the mechanisms and problems of cross-border environmental policy. In order to meet this objective, two regions were chosen for detailed case studies. One region was the Upper Rhine region, where Germany, France and Switzerland are involved, and the other was the Lake Constance region, where Germany, Switzerland and Austria are involved. In both regions a detailed analysis of the total co-operation processes concerning the prevention of water pollution and local public transport has contributed to a general analysis of the cross-border co-operation on environmental issues in these quite different situations.

To guarantee the correspondence of the two components of the investigation, a detailed analysis grid had been developed in the first stage. This grid was used as the basis for the empirical investigations in the different border regions. The empirical collection of data was mainly done by conducting interviews with more than 100 experts. These interviews were consciously open-structured and evaluated on the basis of analysis grids about the topics "socio-economic framework conditions", "environmental situation" and "cross-border co-operation structure". The interviews were supplemented by an evaluation of published materials, freely accessible records of meetings, and - above all - press reports. The evaluation of the empirical data was partially done using an EDP database, that was especially important for creating clusters. However, this project stage was basically characterised by a strongly inductive methodology, that took place within a set framework derived deductively.

Based on the results of the second project stage, a model of influence of cross-border environmental policy has been developed. The regional studies of the Upper Rhine and Lake Constance have been used primarily for the development of this model, together with the results of the analyses conducted in these regions about the prevention of water pollution and public transport. The development of the model of influence (which can be applied to any other border regions) was necessary to identify the conditions for success and obstacles to cross-border co-operation. This has been achieved by a combination of the model of influence with the evaluation model of cross-border environmental policy, that was developed in the first stage of the research.

The identification of the conditions for promoting success and overcoming obstacles has been the basis for the formulation of concrete guidelines for the different political levels in the final stage of the research.

### **III. MAIN RESULTS**

#### **III.1.) Empirical Results**

##### **Items of co-operation**

The survey has identified regional and local environmental problems which are relevant for the economic development of the areas concerned, as most important subjects of regional cross-border environmental policy. Prevention of water pollution and nature protection are at the centre of interest. The dominating policy approach is project-oriented and starts from concrete problems. Joint discussions and the exchange of experiences between experts from both sides of the border are often a more important starting point for new projects than the actual necessity to solve problems together. Therefore environmental problems which are the same in the sub-regions, but which do not necessitate co-operation to be solved, are playing an amazingly important role in cross-border co-operation. These cooperation experiences can constitute an important basis for tackling more difficult problems in the future.

##### **Rising levels of co-operation and depth of policy**

A significant depth of cross-border environmental policy presupposes a strong consensus. The general depth is relatively low, but is steadily rising. Ecologically oriented structural policy can rarely be found, but is gaining interest. The depth of cross-border environmental policy never exceeds the depth of corresponding policies in the sub-regions, but cross-border exchange of experiences often induces the less advanced side to take over deeper policy approaches from their neighbours. Also the level of co-operation is steadily rising. The use of knowledge-based policy instruments is an important basis for this. The improvement of all kinds of communication is also of extreme importance when it is not directly leading to tangible results.

##### **Limited spectrum of political instruments**

Considering different kinds of political instruments, knowledge-based ones clearly dominate. The production of services and infrastructures as well as juridical instruments can equally be found. Economic instruments have been discussed, but a significant use has not been made yet.

##### **Dominating Administration**

Among the actors involved, the administrative systems are clearly dominating. Also important are the general public and the environmental organisations which are the most innovative forces. However, the relationships between the administrative system and these groups are generally very poorly developed. Politicians are not

playing a major role, they appear only on special occasions. However, they can play a decisive role as promoters of single subjects or projects.

### **Political levels**

Strong differences in competencies between the political and administrative levels in the single countries are a serious obstacle to co-operation. The dominance of administration results in a strong role of the state level compared to the local one. The centralisation of competencies on the national level is strongest in countries where environmental policy is less developed. In turn, an advanced environmental policy generally allows for a strong involvement of the local and regional levels, where most decisions will actually be carried out. Regional decision-makers are therefore advised to involve national and local representatives on a timely basis. The appropriate level of co-operation depends on the kind of problem to be solved. In many cases a better differentiation is needed (easy projects and difficult conflicts must be dealt with in a different way).

### **III.2.) Influencing factors**

The research clearly demonstrated that cross-border co-operation in the environmental sector is influenced by different factors, and that the responsibility for successful - or unsuccessful - environmental policy cannot be attributed to a single factor. Consequently it does not seem possible to identify individual conditions for success that are **directly** responsible for successful cross-border co-operation. The great complexity of the field of action and even the ascertainable differences between the different European border regions present an obstacle to this. Nevertheless a few basic conditions can be identified that can promote, or increase the difficulty of, cross-border environmental policy on the regional and local levels. The different conditions for success can be classified in groups describing the respective objective and effectiveness orientation.

#### **- General and environmentally relevant situation in a border region**

Cross-border co-operation is made very difficult when there are clearly ascertainable asymmetrical structures between two individual sub-regions (not necessarily between two neighbouring countries). This applies both to the general framework conditions, such as economic structure, national income or political system, and to the type of environmental problem. It has been seen during the course of the research that environmental problems with clearly ascertainable relationships between those who cause the problem and those who are affected in sub-regions can no longer be solved with the instruments currently available in the border regions.

#### **- Strategic Orientation and Public Acceptance in Border Regions**

The result of cross-border environmental policy is strongly influenced by the strategic orientation of the cross-border committees involved in it. It can be clearly seen that the co-operation process in the environmental sector is rather difficult in border regions where the co-operation is strongly oriented to economic policy. However, in principle a unified model for the development of a border region promotes co-operation in the environmental sector.

#### **- Institutional Structures of Cross-border Co-operation**

A basic distinction can be made between established, institutionalised structures and flexibly-acting network structures. Solving environmental problems seems to be more likely in flexible networks when there is no directly ascertainable relationship between those who cause the problem and those affected. However, such structures are only capable of solving environmental conflicts in a limited way. Established, institutionalised committees seem to be more suitable for this.

#### **- Environmental Policy Instruments**

The research clearly demonstrated that the use of environmental policy instruments cannot be done using only one of them in cross-border co-operation. Rather it is decisive for success to co-ordinate different environmental policy instruments. It is also apparent that the use of information instruments can make the cross-border co-operation process easier.

Independent of the identifiable factors of influence in cross-border environmental policy, a few basic assertions can be formulated about their possible success. The research has demonstrated that numerous border regions have not realised either the opportunities provided by cross-border environmental policy or its limits. The exceptional quality of cross-border co-operation lies in its complexity, which is much higher than in the treatment of environmental problems within single countries. This high degree of complexity necessitates (also due to the lack of hierarchical control options) a great need to cooperate and very complex solutions to problems. The existing cross-border institutions are often not able to deal with this. This applies especially when the participants in cross-border co-operation have clearly different observable perceptions of an environmental problem, and when there are differences in the capacity and authority to solve problems.

This situation results in the necessity to set clear "limits" to cross-border environmental policy to make it workable. Consequently cross-border environmental policy can only contribute in a limited way to the increased use of

environmental policy. However, it can certainly lead to a raising of environmental standards in a country. Insofar, it has an important function in the harmonisation and further development of environmental policy in Europe.

### **III.3 East European Partner Project**

A separate contract was established with two institutes in Central and Eastern Europe. A close scientific exchange with these projects has been established, which showed that the basic statements of the main project have been confirmed to a large extent in the Eastern European border regions.

Basically it can be stated that in Eastern European border regions determining factors of cross-border co-operation on environmental issues are the “general interaction system” and the “cost-benefit distribution”. If strong national conflicts exist between the border regions, and if the cost-benefit balance of a project is not evenly distributed, then cross-border co-operation is impeded. Even a strong regional environmental conscience on both sides cannot compensate for that. This can be seen at the dam project of the Danube in Gabčíkovo-Nagyamárós.

The investigation showed that the main factors influencing cross-border co-operation on environmental issues are economic and structural differences between borders. Especially the co-operation between Western and Eastern European regions is strongly impeded by these factors. This has been shown by the investigation in the Euregio Nisa. The varying economic power in border regions can lead to limited capacities of conflict-solving resources (money, staff, etc.). Single cross-border projects (e.g. sewage plants or cross-border air-pollution policies) can be strongly hindered by that. In the Euregio Nisa, one can see that carrying out concrete single projects can facilitate the integration of environmental policy in the general cross-border co-operation. However, the Eastern European states need support by making resources available. Furthermore, it is necessary to formulate a model in cross-border co-operation for the future development of the border regions. This can be an important step towards the solution of cross-border environmental conflict.

Models and socio-cultural activities can help to form a cross-border identity which may compensate for possible historical conflicts between the border regions. Historically based conflicts exist both in the Euregio Nisa and in the region at the border between Hungary and Slovakia. Especially in Eastern European countries, these socio-cultural factors play an extremely important role in the success of cross-border environmental policy.

As a consequence of these findings, most of the general recommendations formulated for the entire research project apply as well for the situation in the investigated Eastern European border regions. Enhancing the exchange of experiences would be particularly useful in this context. The European Commission itself is involved in cross-border co-operation in Eastern Europe through several programmes (e.g. TACIS, PHARE, LACE) and has some opportunities to improve the preconditions for success.

## **IV. SCIENTIFIC INTEREST AND POLICY RELEVANCE**

### **(i) Scientific Interest and Novelty**

- Within the framework of the debate about the role of networks in international and European environmental policy, their function and significance was demonstrated on another level of policy (cross-border policy). The project clearly confirmed that networks are only able to solve problems in a limited way.
  - The evaluation model developed for co-operative environmental policy can be used to evaluate various processes relating to environmental sector, and is not limited to the situation in border regions.
- The project also contributed to the research debate about the further development of European environmental policy and use of environmental policy instruments.

### **(ii) Policy Relevance**

The contribution of the project focused on the interface of two different policy fields. Two important items can be singled out:

- The project made a contribution to the debate on subsidiarity in European environmental policy. It clearly demonstrated how the framework conditions for regional environmental policy can be promoted on the European level. It especially pointed out the instruments that are (must) to be made available. It demonstrated the significance of international framework treaties for processes in the environmental sector on one hand, and on the other hand the significance of financially supported programmes for solving concrete environmental problems.

- The project made a contribution to the increasing institutionalisation of cross-border co-operation that is not directly limited to the environmental sector. It clearly showed the advantages and disadvantages of an established, institutionalised type of co-operation in comparison to a flexible network structure.

The political significance of the project can be especially seen in the great amount of interest it generated in the political committees in the two border regions where it was conducted; in particular, the political committees in charge of in the Lake Constance region are using it for the targeted further development of cross-border environmental policy

#### **III.4 Recommendations to the EU**

The EU should participate to a larger extent in cross-border co-operation. This can be done by provision of financial means, networking within the border regions and the creation of adequate preconditions.

It is necessary that the activities of the EU have the objective to integrate the environmental issues more strongly into cross-border policies. To achieve this the EU can on the one hand set appropriate conditions for INTERREG projects, for example demanding EIA or SEIA studies. On the other hand the socio-cultural exchange between the border regions should be promoted.

Moreover, the EU should exert an influence on the structures of the cross-border co-operation. Mainly concerned are the participation structures of the local and regional levels, the legitimacy of these units and the transparency of their work. An important measure to influence these structures is the composition of the INTERREG boards.

Furthermore the EU can influence the cross-border co-operation in an indirect way by funding research projects. There is primarily a need for research in the field of conflict-solving mechanisms in border regions.

Using these measures the EU can strongly intensify the cross-border co-operation on environmental issues. However, according to the subsidiarity principle the intensification must primarily take place in the border regions themselves. The EU can only assume a facilitating role.

Differentiated recommendations for the single regions have been formulated in the regional studies. However, one outstanding consideration concerning co-operation structures should be mentioned here. It seems to be advisable in most cases to establish two kinds of structures with different functions. On one side, informal networks and professional management structures are most appropriate for the initiation and the carrying out of concrete projects. On the other side, high level formal co-operation structures are needed for defining objectives and for an effective resolution of conflicts when they arise.